

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE**

**IN RE: SIG SAUER P320
PRODUCTS LIABILITY LITIGATION**

**CHARLES FRANKLIN STATLER and
MADISON STATLER (H/W)**
31455 River Road
Millington, MD 21651

Plaintiffs,

v.

SIG SAUER, INC.
72 Pease Boulevard
Newington, New Hampshire 03801

Defendant.

**SHORT FORM COMPLAINT
JURY TRIAL DEMANDED**

CASE NO. 1:22-CV-00536

SHORT FORM COMPLAINT AND JURY DEMAND

Plaintiff(s) file this Short Form Complaint seeking judgment against Defendant, Sig Sauer, Inc., for injuries suffered as a result of Charles Franklin Statler experiencing and/or witnessing an unintended discharge of a Sig Sauer P320 pistol.¹

Plaintiff(s) incorporate by reference the allegations pertinent to this Plaintiff's claims contained within the Long Form Complaint and Demand for Jury Trial under ECF No. 28 in Case No.: 22-cv-536-JL, *Armendariz v. Sig Sauer, Inc.*, filed in the United States District Court for the District of New Hampshire and assigned to the Honorable Joseph N. LaPlante (hereafter, the "Long Form Complaint"). Plaintiff files this Short Form Complaint in compliance with this Court's Order, ECF No. 60.

¹ The only pistols involved in the Sig Sauer Products Liability Litigation are the P320 and its variants, including the M17 and M18.

I. ALLEGATIONS COMMON TO ALL PLAINTIFFS

1. Plaintiff(s) incorporate by reference Paragraphs 1 – 152 in the Long Form Complaint as if set forth fully herein.

II. JURISDICTION AND VENUE

2. Plaintiff(s) allege the basis for jurisdiction and venue as follows:

☒ As alleged in the Long Form Complaint; **AND/OR**

☐ Other: _____

III. INDIVIDUAL ALLEGATIONS

3. The Injured Person (“Plaintiff”) Charles Franklin Statler is an adult individual(s) whose current address is 31455 River Road, Millington, MD 21651.

a. Name of current spouse and current street address, city, and state:

Madison Statler, 31455 River Road, Millington, MD 21651.

b. Date of marriage to spouse or widow(er) (if applicable): 09/25/2021

4. The named Plaintiff(s) in this lawsuit is/are:

☒ The Injured Person (“Plaintiff”)

☒ The Plaintiff’s spouse (Plaintiff’s spouse is the “LOC Plaintiff”)

5. The incident in which Plaintiff was injured by a Sig Sauer pistol (“Incident”) occurred on or about November 6, 2022.

6. The type of Sig Sauer Pistol that resulted in Plaintiff’s injury (“Subject Pistol”) was a SIG Sauer P320.

7. The serial number of the Subject Pistol is:

☒ M17-111253

☐ Presently unknown.

8. The Subject Pistol was:

☒ Purchased from a retail establishment

☐ Purchased privately

☐ Issued to the Plaintiff by his/her employer

9. The type of unintended discharge occurring during the Incident which resulted in Plaintiff's injury was a:

☒ Discharge while in, partially in, being removed from or being inserted into the holster.

☐ Discharge while outside of holster.

☐ Drop Fire.

10. At the time of the Incident, Plaintiff was a:

☐ A law enforcement officer not on duty

☐ A law enforcement officer on duty

☒ A civilian

11. Plaintiff alleges that he/she was injured when, on the date of the Incident, Plaintiff's Subject Pistol discharged without an intentional trigger pull and without the Plaintiff wanting it to.

12. As a result of the Incident, Plaintiff suffered injuries including but not limited to the following: right buttocks.

13. Plaintiff(s) makes claim for all categories of damages recoverable under the law, including any and all medical expenses, past and future, wage loss, past and future pain and suffering, and other non-pecuniary damages, as well as punitive damages.

IV. CLAIMS / COUNTS

14. **COUNT I – NEGLIGENCE (*Plaintiff v. Sig Sauer*)**

- ☒ Plaintiff adopts and alleges the same negligence theory in Paragraphs 319 – 326 in the Long Form Complaint as applied to this Plaintiff.
- ☐ Plaintiff alleges an additional negligence theory of liability against Sig Sauer which is attached hereto.

15. **COUNT II – STRICT PRODUCT LIABILITY (*Plaintiff v. Sig Sauer*)**

- ☐ Plaintiff adopts and alleges the same negligence theory in Paragraphs 327 – 332 in the Long Form Complaint as applied to this Plaintiff.
- ☐ Plaintiff alleges an additional negligence theory of liability against Sig Sauer which is attached hereto.

16. **COUNT III – LOSS OF CONSORTIUM (*LOC Plaintiff v. Sig Sauer*)**

- ☒ At the time of the Incident, LOC Plaintiff was the spouse of Plaintiff.
- ☒ As a result of the injuries sustained by Plaintiff, LOC Plaintiff has been and will continue to be deprived of the love, assistance, companionship, consortium and society of his/her spouse.

17. **ADDITIONAL COUNTS**

- a. If additional Counts and/or Counts directed to other Sig Sauer are alleged, the specific facts supporting these allegations must be pleaded by the Plaintiff(s) in a manner complying with the requirements of the Federal Rules of Civil Procedure and must be specifically identified on a separate sheet of paper attached to the Short Form Complaint.

b. Plaintiff(s) assert the following additional theories against the Defendant(s) listed in paragraph 4:

c. Plaintiff(s) assert the following additional theories against other Defendant(s):

WHEREFORE, Plaintiff(s) demands judgment in his/her/their favor and against Defendant for compensatory and enhanced compensatory damages, together with lawful interest, attorneys' fees, costs of suit, and all other claims for damages available by law in this Short Form Complaint and in Plaintiff(s)' Long Form Complaint, ECF No. 28 with Case No.: 22-cv-536-JL, *Armendariz v. Sig Sauer, Inc.*, filed in the United States District Court for the District of New Hampshire.

Respectfully submitted,

DOUGLAS, LEONARD & GARVEY, P.C.

Date: June 27, 2024

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Date: June 27, 2024

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